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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA
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12 KATHLEEN MARILYN ELLIOTT,
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14 Plaintiff,

15 v.
16 MICHAEL J. ASTRUE, Commissioner of
17 the Social Security Administration,
18

19 Defendant.

20 CASE NO. C12-5081 RJB
21

22 ORDER ADOPTING REPORT AND
23 RECOMMENDATION REVERSING
24 AND REMANDING TO
25 COMMISSIONER FOR FURTHER
26 CONSIDERATION

27 This matter comes before the Court on the Report and Recommendation of U.S.
28 Magistrate J. Richard Creatura. Dkt. 18. The Magistrate Judge recommends that the
29 Commissioner's denial of disability insurance benefits be reversed and remanded, pursuant to
30 sentence four of 42 U.S.C. § 405(g), to the Commissioner for further administrative proceedings.

31 The Court need only make a de novo determination of the portions of Magistrate Judge
32 Creatura's Report and Recommendation to which Defendant makes objections. 28 U.S.C. §
33 636(b)(1). Defendant has not filed any objection to the Report and Recommendation.

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35 ORDER ADOPTING REPORT AND
36 RECOMMENDATION REVERSING AND
37 REMANDING TO COMMISSIONER FOR
38 FURTHER CONSIDERATION- 1

The Court, having reviewed the Report and Recommendation of Judge J. Richard
Creatura, United States Magistrate Judge, and the relevant record, does hereby find and

ORDER:

- (1) The Court adopts the Report and Recommendation.
 - (2) The matter is **REVERSED** and **REMANDED**, pursuant to sentence four of 42 U.S.C. § 405(g), to the Commissioner for further consideration.
 - (3) **JUDGMENT** is for Plaintiff and the case should be closed.
 - (4) The Clerk is directed to send copies of this Order to counsel of record.

Dated this 26th day of December, 2012.

Robert F. Bryan

ROBERT J. BRYAN
United States District Judge